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DATE: April 16, 2003

RECIPIENT INFORMATION	SENDER INFORMATION
To: Examiner Eileen O'Hara	From: Mercedes K. Meyer, Ph.D., Esq.
Voice Tel. No.: 703-308-3312	Voice Tel. No.: 703-838-6561
Fax Tel. No.: 703-746-6901	Sent By: Elizabeth K. Stenson
Your Ref.: 09/743,852	Our Ref.: 003300-712
	Total Pages (Incl. Cover Page): 48

RE: U.S. Patent Application No. 09/760,810

MESSAGE:

Dear Examiner O'Hara,

Attached please find: Amendment/Reply Transmittal Letter (with duplicate copy - extra claim fee of \$135.00 is to be charged to Deposit Account No. 02-4800); Petition for Extension of Time (with duplicate copy - fee of \$205.00 is to be charged to Deposit Account No. 02-4800); Amendment and Reply under 37 C.F.R. § 1.111; Information Disclosure Statement Transmittal Letter (with duplicate copy - fee of \$180.00 is to be charged to Deposit Account No. 02-4800); Information Disclosure Statement; and Form PTO-1449 with the two references discussed in the Amendment.

Should you have any questions, please do not hesitate to contact me.

Very truly yours,


Mercedes K. Meyer, Ph.D., Esq.

MXM:eks

NOTE: The information contained in this facsimile message is attorney-client privileged and contains confidential information intended only for the use of the person(s) named above and others expressly authorized to receive it. If you are not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this message is prohibited and you are asked to notify us immediately by telephone and to return this message to us by mail without copying it.

Any questions regarding compatibility should be directed to our Office Services Department at +1.703.836.6620.

Patent
Attorney's Docket No. 003300-712

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)	
)	
Kjell OLMARKER <i>et al.</i>)	Group Art Unit: 1646
)	
Application No.: 09/743,852)	Examiner: Eileen B. O'Hara
)	
Filed: January 17, 2001)	Confirmation No.: 9070
)	
For: USE OF CERTAIN DRUGS FOR)	VIA FACSIMILE: (703) 746-6901
TREATMENT OF NERVE ROOT)	
INJURY)	

AMENDMENT/REPLY TRANSMITTAL LETTER

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Enclosed is a reply for the above-identified patent application.

☒ A Petition for Extension of Time is also enclosed.

☐ A Terminal Disclaimer and the ☐ \$55.00 (2814) ☐ \$110.00 (1814) fee due under 37 C.F.R. § 1.20(d) are also enclosed.

☒ Also enclosed Information Disclosure Statement Transmittal Letter; Information Disclosure Statement; and Form PTO-1449 with the two references cited in the Amendment.

☒ Small entity status is hereby claimed.

☐ Applicant(s) request continued examination under 37 C.F.R. § 1.114 and enclose the ☐ \$375.00 (2801) ☐ \$750.00 (1801) fee due under 37 C.F.R. § 1.17(e).

☐ Applicant(s) previously submitted ___, on ___, for which continued examination is requested.

☐ Applicant(s) request suspension of action by the Office until at least ___, which does not exceed three months from the filing of this RCE, in accordance with 37 C.F.R. § 1.103(c). The required fee under 37 C.F.R. § 1.17(i) is enclosed.

☐ A Request for Entry and Consideration of Submission under 37 C.F.R. § 1.129(a) (1809/2809) is also enclosed.

(02/03)

Amendment/Reply Transmittal Letter
 Application No. 09/743,852
 Attorney's Docket No. 003300-712
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☐ No additional claim fee is required.

☒ An additional claim fee is required, and is calculated as shown below:

AMENDED CLAIMS					
	NO. OF CLAIMS	HIGHEST NO. OF CLAIMS PREVIOUSLY PAID FOR	EXTRA CLAIMS	RATE	ADDT'L FEE
Total Claims	39	MINUS 24 =	15	× \$18.00 (1202) =	270.00
Independent Claims	1	MINUS 2 =	0	× \$84.00 (1201) =	0.00
If Amendment adds multiple dependent claims, add \$280.00 (1203)					0.00
Total Amendment Fee					270.00
If small entity status is claimed, subtract 50% of Total Amendment Fee					135.00
TOTAL ADDITIONAL FEE DUE FOR THIS AMENDMENT					\$135.00

☐ A claim fee in the amount of \$_____ is enclosed.

☒ Charge \$ 135.00 to Deposit Account No. 02-4800.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By:


 Mercedes K. Meyer
 Registration No. 44,939

P.O. Box 1404
 Alexandria, Virginia 22313-1404
 (703) 836-6620

Date: April 16, 2003

(02/03)

Amendment/Reply Transmittal Letter

Application No. 09/743,852Attorney's Docket No. 003300-712

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I hereby certify that this correspondence is
being sent by Facsimile Transmission to
Assistant Commissioner of Patents and Trademarks,
Washington, D.C. 20231 on

Date: April 16, 2003Name: Elizabeth K. Stenson

(Typed or printed name of person signing the certificate)

Sign: Elizabeth K. Stenson
(Signature of person signing the certificate)

Date: April 16, 2003

(02/03)

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Application No. 09/743,852
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Page 2

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